

W-03948A-07-0495



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ORIGINAL
ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Richard Martinez

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion No. 2007 - 64976

Date: 11/30/2007

Complaint Description: 08A Rate Case Items - Opposed
N/A Not Applicable

First:

Last:

Complaint By: Glenn & Helen

Rock

Account Name: Glenn & Helen Rock

Home: [REDACTED]

Street: [REDACTED]

Work: (000) 000-0000

City: [REDACTED]

CBR:

State:

AZ

Zip: [REDACTED]

is:

Utility Company: Empirita Water Company, LLC

Division:

Contact Name: [REDACTED]

Contact Phone: [REDACTED]

Nature of Complaint:

Glenn & Helen Rock
[REDACTED]

Arizona Corporation Commission

DOCKETED

DEC 11 2007

November 29, 2007

Arizona Corporation Commission
Consumer Services - Utility Division
Phoenix, AZ 85007

DOCKETED BY	
KIC	NR

AZ CORP COMMISSION
DOCKET CONTROL

2007 DEC 11 P 3:29

RECEIVED

Dear Commissioners:

We are writing this letter in hopes you have not yet made a decision on the application of Empirita Water Company for a rate increase.

We believe it is quite premature to even consider granting a water rate increase. This subdivision is not very old. We know that one of the very first houses built here was in 2004, and there are not very many houses being occupied at this time...23 out of 91 possible. And, the vast majority of the 91 lots are not even being built on at present. We don't understand what Empirita Water Company is talking about when they say they haven't had a rate increase since May 2001, as there probably was not a single house built at that time.

Assuming that our information is correct, that Empirita Water Company was established to provide water to Red Hawk Subdivision, certainly the developers of Red Hawk must have known that their water company would not be financially viable until they had what's known as a "critical mass" of customers. The fact that either lots are not selling - or houses are not being built and occupied - as fast as the developers had anticipated, should not allow them to place an extra burden on those of us who do live here.

The current water rates are not what we would consider "low" by any stretch of the imagination. For example,

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UTILITY COMPLAINT FORM

why is any utility company allowed to charge a "base rate" before any amount of water is even used? Twice I asked Empirita Water Company personnel to tell me just exactly what the \$25.00 "base rate" covers, and both individuals I spoke with told me "That's just our base rate" Not a satisfactory answer. I must say. And note that in their proposal, they clearly indicate the "base rate" is for zero gallons of water. This is truly unreasonable.

We suspect greed may be a factor in the water company's application. We note they are not requesting a rate increase only in the dollars per gallon, but also in the number of gallons' per "tier". Again, truly unreasonable.

We respectfully request the Commission to deny the rate increase in its entirety. Not only is it very premature, but no valid reason for the increase are substantiated.

Thank you.

Sincerely,

Glenn & Helen Rock


End of Complaint

Utilities' Response:

N/A

End of Response

Investigator's Comments and Disposition:

12/4

NOTES BY TRISH: THE FOLLOWING WAS RECEIVED AT THE PHOENIX OFFICE:

Glenn & Helen Rock


November 30, 2007

Arizona Corporation Commission
Consumer Service - Utility Division
1200 W. Washington Street
Phoenix, AZ 85007

Dear Commissioners:

This letter is written to correct an error made in our letter dated November 29, and to clarify another statement. Please attach this letter to the first one.

The correction is in reference to the second to last paragraph on the second page. The second part of the second sentence should read: "...but also a decrease in the number of gallons per tier." We believe the number of gallons per tier should remain as they are currently.

The clarification is in reference to the word "greed" used in the first sentence of that same paragraph. We don't know if Jim Vermilyea has any partners in his development company, but we definitely do not believe Jim himself to be a greedy individual. Perhaps that was not a good choice of word to use.

Unfortunately, I did not notice these discrepancies until after our first letter was mailed, so thank you kindly for

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accepting this addendum.
Sincerely,

Helen Rock

12/07 (ACC):

(W-03948A-07-0495)

ACC staff called and spoke with Mr. Rock @ 1143 hours to acknowledge receipt of his opinion. ACC staff told customer that his opinion would be docketed so that the staff and Commissioners will have an opportunity to read his opinion prior to casting a vote in this matter. Customer thankful that ACC called him to acknowledge receipt of his correspondence.

ACC staff emailed this opinion to Al Amezcua to have it docketed. CLOSED.

End of Comments

Date Completed: 12/7/2007

Opinion No. 2007 - 64976
